United Nations A/56/883

General Assembly

Distr.: General
21 March 2002
English
Original: Spanish

Fifty-sixth session
Agenda items 123 and 117

Programme budget for the biennium 2002-2003

Elimination of racism and racial discrimination

Comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance

Programme budget implications of draft resolution A/C.3/56/L.84/Rev.1, as orally revised

Report of the Fifth Committee

Rapporteur: Mr. Santiago **Wins** (Uruguay)

1. At its 50th to 52nd meetings, on 14 and 15 March 2002, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/56/38) of the programme budget implications of draft resolution A/C.3/56/L.84/Rev.1, as orally revised, on the comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. An account of the Committee's discussion is contained in the relevant summary records (A/C.5/56/SR.50-52).

2. At the 50th meeting, on 14 March, the Director of Programme Planning and Budget Division introduced the statement of programme budget implications (A/C.5/56/38). The Chairman of the Advisory Committee on Administrative and Budgetary Questions Committee introduced the related report of that Committee (A/56/869).

3. At the 51st meeting, on 15 March, the representative of Cuba introduced a draft decision (A/C.5/56/L.49) submitted by Venezuela on behalf of the States Members of the United Nations that are members of the Group of 77 and China.

4. At its 52nd meeting, on 15 March, the representative of Spain, on behalf of the States Members of the United Nations that are members of the European Union, orally proposed the following amendments to the draft decision:

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(a) The insertion in the first paragraph of the words "subject to the provisions of the present decision" after the words "recommendations of the Advisory Committee";

(b) The insertion in subparagraph (a), before the word "Informs", of the following:

"Recommends to the General Assembly neither to approve funds requested for expenses related to regional meetings as described in paragraph 3 (a) (i) and (c) of the statement of programme budget implication (A/C.5/56/38), nor to approve the related proposed changes in the narrative of section 22, and".

5. At the same meeting, the representative of the United States of America orally proposed the following amendments to the draft decision:

(a) The insertion in subparagraph (b), between the words "to authorize" and the words "the Secretary-General", of the words "subject to (c) below";

(b) The addition of a new subparagraph (c), reading:

"Decides, pending submission of the report of the Office of Internal Oversight Services on the review of the budget and management practices of the United Nations Human Rights Centre, as requested in General Assembly resolution 56/253, to defer consideration of document A/C.5/56/38."

6. At the same meeting, following discussions on his amendment, the representative of the United States withdrew his amendment.

7. The Committee then adopted draft decision A/C.5/56/L.49, as orally amended by the representative of Spain (see para. 8).

Decision of the Fifth Committee

8. The Fifth Committee, having considered the statement submitted by the Secretary-General (A/C.5/56/38) of the programme budget implications of the draft resolution on the comprehensive implementation of and follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/C.3/56/L.84/Rev.1), and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/56/869), endorses the recommendations of the Advisory Committee, subject to the provisions of the present decision and, in this context:

(a) Recommends to the General Assembly neither to approve funds requested for expenses related to regional meetings as described in paragraph 3 (a) (i) and (c) of the statement of programme budget implications (A/C.5/56/38), nor to approve the related proposed changes in the narrative of section 22, and informs the General Assembly that, should it adopt draft resolution A/C.3/56/L.84/Rev.1, expenditures not exceeding $566,800 would arise under section 22, Human rights, and $103,900 under section 32, Staff assessment (to be offset by an equivalent amount under income section 1, Income from staff assessment) of the programme budget for the biennium 2002-2003;

(b) Recommends to the General Assembly to authorize the Secretary-General to enter into a commitment for an amount not exceeding $566,800 under section 22,

Human rights, and $103,900 under section 32, Staff assessment (to be offset by an equivalent amount under income section 1, Income from staff assessment), on the understanding that the Secretary-General would report to the General Assembly at its fifty-seventh session on the actual requirements, and that these requirements would be dealt with by the Assembly, at that session, in accordance with established procedure.

United Nations A/56/884–S/2002/301

General Assembly
Security Council

Distr.: General
22 March 2002

Original: English

General Assembly
Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-seventh year

Letter dated 21 March 2002 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to several alarming incidents that have occurred recently along Israel's northern border.

It was confirmed this week that terrorist infiltrators from Lebanon were responsible for the shooting attack that claimed the lives of six Israelis near the northern Israeli town of Shlomi on 12 March 2002. Evidence was first uncovered when Israel discovered a bow-shaped collapsible ladder was hidden in thick vegetation not far from the Blue Line. Such a device would permit infiltrators to breach the security fence without tripping any alarms. Later, further proof was found when footprints were discovered leading from the Blue Line to the scene of the attack, which occurred several kilometres south, in the heart of the Western Galilee. This act merits harsh condemnation as an act of international terrorism aimed directly at Israeli civilians.

This discovery comes amidst a steady escalation of cross-border terrorist attacks that signal Hizbullah's clear intent to intensify their assaults and provoke greater unrest and tension in the region. On 11 March, Hizbullah carried out two separate unprovoked attacks against Israel. In the first incident, shots were fired at an IDF post not far from the village of Ghajar. Israeli forces returned fire and a brief gun battle ensued; reports indicate that at least one terrorist was hit, while no casualties were incurred on the Israeli side. Earlier in the day, Hizbullah fired approximately 30 anti-aircraft shells at aircraft flying in Israeli airspace. The shells fell near communities in northern Israel, spreading terror among the population. These attacks follow several attacks perpetrated in the month of January that were referred to in my letters dated 24 January 2002 (A/56/793-S/2002/115) and 17 January 2002 (A/56/778-S/2002/79), and a spate of other attacks that were detailed in my letters dated 24 October 2001 (A/56/507-S/2001/1012), 5 October 2001 (A/56/443-S/2001/942), 6 July 2001 (A/56/161-S/2001/673), 16 April 2001 (S/2001/367), 16 February 2001 (A/55/792-S/2001/142), 6 February 2001 (A/55/767-S/2001/111), 26 November 2000 (S/2000/1121), 23 October 2000 (S/2000/1011), 19 October 2000 (S/2000/1002), and 7 October 2000 (S/2000/969).

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Hizbullah's terrorist activities, which imperil international peace and security and which directly target civilians in the area, would be a matter of grave concern regardless of when they are committed, but they are particularly worrisome now, in light of the heightened tension in the region as a result of the ongoing campaign of Palestinian terrorism directed against Israel. That Hizbullah and Palestinian terrorists are intensifying their operations at the same moment is not a coincidence. Hizbullah has long been involved in providing training and support to Palestinian terrorist groups and in efforts to smuggle weapons to these groups that would enhance their operations capabilities. Hizbullah also serves as a source of ideological inspiration for those who would commit acts of suicidal terrorism against Israelis.

The link between Hizbullah's recent operations and the wider situation in the region was underscored by a number of disturbing statements from the organization's leader, Sheikh Hassan Nasrallah, who admitted that Hizbullah had been involved in a recent unsuccessful attempt to smuggle Katyusha rockets, through the Hashemite Kingdom of Jordan, to terrorists in the Palestinian territories. "Hizbullah is doing all that it can in what suits the intifada's best interests, without hesitation. If it were not for obvious restraints, I would have given a full report about it," said Nasrallah. On 8 March, Nasrallah made the following comment on Hizbullah television: "We are keen on providing all financial and political support for the intifada. Delivering weapons to the Palestinians is one of the most important and greatest duties." Such statements, taken together with Hizbullah's recent attacks and its active support for Palestinian terrorism, make it clear that the organization is intent on further escalating the conflict in the region and scuttling any attempts to restore calm and return to the negotiating process.

Despite Israel's full and confirmed compliance with Security Council resolution 425 (1978), Hizbullah has continued to launch unprovoked attacks against Israel across the Blue Line from its base in South Lebanon. Such actions are in serious breach of Security Council resolutions 425 (1978), 426 (1978), 1310 (2000), 1337 (2001), 1365 (2001) and 1391 (2002), which call for the restoration of international peace and security, the return of the effective authority and presence of the Government of Lebanon in the south, and respect for the integrity of the Blue Line. Despite repeated entreaties, the Lebanese Government has steadfastly refused to take the steps incumbent upon it to ensure peace and security in the area.

The Government of Lebanon is also in violation of Security Council resolution 1373 (2001) and the principles of international law, which clearly calls upon all States to refrain from providing any support, whether active or passive, to all persons or entities involved in terrorist acts. Rather than fulfil its international obligations to fight terrorism in its territory in conformity with the will of the international community, the Government of Lebanon has effectively ceded control of Southern Lebanon to Hizbullah, enabling the organization to freely operate in the area and to launch attacks against Israel at will. This fact was confirmed recently by an official of the United Nations Interim Force in Lebanon who reported that "sovereignty along the border line has effectively been granted to Hizbullah," in an interview carried by Radio Al-Sharq.

The Secretary-General made a similar observation in his recent report on the United Nations Interim Force in Lebanon, dated 16 January 2002 (S/2002/55): "The Government of Lebanon has continued to let Hizbollah operate close to the Blue

Line. More steps can be taken to extend the Government's authority to all of southern Lebanon, as called for by the Council most recently in its resolution 1365 (2001)." The Secretary-General further stressed the critical need to prevent attacks from being launched across the Blue Line and to refrain from any action that could serve to destabilize the situation. These statements, as well as established principles of international law, recently reaffirmed by Security Council resolution 1373 (2001), clearly obligate the Lebanese authorities to take more concerted action to rein in Hizbullah and refute any suggestion that armed attacks across the Blue Line are legitimate.

It should be emphasized that Hizbullah's continuing illegal operations against Israel are possible not only because of Lebanon's support and complicity, but also due to the financial, political and logistical assistance provided by the Governments of Syria and Iran, both of which are countries with well-known records of support for terrorist activities. Syria and Iran are longtime supporters of Hizbullah and continue to provide training grounds and safe harbor to the organization's operatives. In the face of continuing attacks emanating from Lebanese territory, Israel reserves its right and its duty under international law to protect its northern border.

But above all, the timing of Hizbullah's escalatory actions are particularly worrisome as the people and leaders of the region look with hope upon recent diplomatic initiatives that may finally lead to a long sought-after ceasefire. Hizbullah is clearly intent on derailing such efforts. The organization's long history of terrorism, its recent escalation along the Blue Line, its increased involvement with, and support for, Palestinian terrorist groups operating against Israel, its rejection of Israel's right to exist, and its declared opposition to any peaceful settlement of the conflict in the region must command the attention of the international community and merit an unequivocal condemnation. The international community must make it unambiguously clear that Hizbullah will not be permitted to flout the will of the Security Council and the principles of international law and to obstruct the path towards a comprehensive peace that would benefit millions of people in the region. It must further be made clear that the Governments that actively support Hizbullah also bear responsibility, not only for Hizbullah's numerous violations of international legal and moral standards, but for the damage that such violations cause to our common quest for peace.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-sixth session of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative